



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/051,353

01/18/2002

Jonathan S. Black

9198.00

9276

26889

7590

07/09/2008

MICHAEL CHAN

NCR CORPORATION

1700 SOUTH PATTERSON BLVD

DAYTON, OH 45479-0001

EXAMINER

WEIS, SAMUEL

ART UNIT

PAPER NUMBER

3693

MAIL DATE

DELIVERY MODE

07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/051,353	Applicant(s) BLACK ET AL.	
	Examiner SAMUEL S. WEIS	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9 and 24-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9, and 24-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicants' Request for Continued Examination (RCE) filed on April 10, 2008. Claims 1-6, 9, and 24-36 are currently pending. Claims 7, 8, and 10-23 have been canceled. Claims 1-3, 6, and 9 have been amended. Claims 24-36 have been added. Claims 1-6, 9, and 24-36 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 19, 2008 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 reads "wherein the detection step." However, the step it is referring to has been deleted from claim 1. Examiner interprets claim 2 to be "wherein the receiving step." Claims 3 and 4 depend on claim 2 and are thus rejected as well. Appropriate correction is requested.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 9, 24, 25, 29-30 and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeny, Jr., U.S. Pat. No. 6,490,443 (hereinafter, Freeny), in view of Drummond et al., U.S. Pat. No. 7,080,036 (hereinafter, Drummond).

As to claims 1-6, 9, 24, 25, 29-30 and 32-36, Freeny discloses a method of operating a self service terminal and a self service terminal (abstract, Figs. 7, 10, 21) comprising:

receiving wireless communication signals from a mobile computing device in the vicinity of the SST and engaging in communication with the device to detect one or more characteristics relating to device capabilities of the mobile computing device and user preferences of a user of the mobile computing device in the vicinity of an SST (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

configuring an SST user interface of the SST to accommodate detected device capabilities and user preferences (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

detecting those an additional device[s] within the vicinity of the SST but which do not belong to a user not currently interacting with the SST (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

determining the configuration of the SST user interface based on the detected characteristics of the additional device[s] .within the vicinity and which belongs to the user not currently interacting with the SST before that user begins to interact with the SST (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);
ordering a plurality of determined configurations in accordance with the time that each detected device has been in the vicinity of the SST (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

wherein configuration of the SST user interface includes identifying a communication method used by the mobile computing device and communicating with the device to transmit information for display by the device and receive user inputs entered by the user through the device (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

detecting an additional mobile computing device belonging to a user not currently interacting with the SST and presenting that user with an option of conducting a transaction with the SST by way of communication using the mobile computing device (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

communicating with the mobile computing device through secure infrared communication and Bluetooth communication (col. 38, lines 25-33);

wherein configuring the SST user interface includes adapting the user interface to select screens and options presented to the user at the beginning of an interaction, the selection being based on stored user preferences (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

reading an identification device presented at an identification device reader of the SST and receiving an authentication input by the user (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

wherein the identification device is an identification card bearing encoded information readable by a card reader of the SST (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

wherein the SST is an automated teller machine and wherein the configurable user interface includes a user identification device reader (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57);

a currency dispenser for dispensing currency (col. 37, lines 48-56).

Freeny does not explicitly disclose displaying advertisements or other information selected according to the detected characteristics of a mobile device

However, Drummond teaches an automated banking machine and development method that includes selectively advertising information to customers (col. 18, line 50- col. 19, line 25). It would have been obvious to combine Drummond and Freeny to provide customers with notifications of services offered in order to produce more revenue.

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

7. Claims 26-28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeny, Jr., U.S. Pat. No. 6,490,443 (hereinafter, Freeny), in view of Drummond et al., U.S. Pat. No. 7,080,036 (hereinafter, Drummond) in view of Zalewski et al., U.S. Pat. No. 7,155,199 (hereinafter, Zalewski).

As to claims 26, 27, and 31, Freeny does not explicitly disclose: transmitting advertising material to mobile computing devices of users not currently interacting with the SST; wherein the advertising material includes a notification of remote banking services available through the users' mobile computing devices; wherein configuring the SST user interface includes communicating with the user through a short message service facility.

However, Zalewski teaches a system and method of making payments using a mobile computing device with embedded transponder that utilizes short message services (col. 11, lines 46-66 and col. 15, lines 1-32). Zalewski teaches using SMS as a communication method between a mobile computing device and a self service terminal in order to notify and transmit information regarding goods and services available. It would have been obvious to combine Zalewski and Freeny and Drummond to transmit potential goods and services available to customers (like banking services) in order to produce more revenue.

As to claim 28, Freeny discloses receiving details of a requested transaction from a user not currently interacting with the SST and presenting said user with an option of completing the requested transaction when the user approaches the SST to begin the

interaction (abstract, Figs. 7, 10, 21, col. 17, line 35- col. 18, line 50, col. 33, lines 34-57).

Response to Arguments

8. Applicant's arguments with respect to claims 1-6, 9, and 24-36 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL S. WEIS whose telephone number is (571)272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stefanos Karmis/
Primary Examiner, Art Unit 3693